

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,

Plaintiff,

VS.

JAIME HUNDLEY,

Defendant.

8:16CR20

ORDER

This matter is before the court on the defendant's motion to continue trial [34] as defendant will be entering a diversion agreement. The matter was not set for trial as the parties orally informed the court they would be seeking diversion and were securing the proper paperwork beyond the deadline of December 9, 2016. The court will set the defendant's trial for approximately twelve months. Upon successful completion of pretrial diversion, counsel shall notify the court and the trial will be cancelled.

IT IS ORDERED that the motion to continue trial is granted, as follows:

1. The jury trial is set for January 16, 2018.

2. In accordance with 18 U.S.C. § 3161(h)(7)(A), the court finds that the ends of justice will be served by granting this continuance and outweigh the interests of the public and the defendant in a speedy trial. Any additional time arising as a result of the granting of this motion, that is, the time between **December 9, 2016 and January 16, 2018**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act. Failure to grant a continuance would deny counsel for the defendant the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(A) & (B)(iv).

DATED January 5, 2017.

BY THE COURT:

s/ Susan M. Bazis
United States Magistrate Judge